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08 AUG 5 2003 4:11:55AM 971 ZUCKERMAN SPAEDER Morris 40 NO. 1986 P. 4/19

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

International Union of Operating Engineers,  
Local No. 68 Welfare Fund,

Plaintiff,

v.

AstraZeneca PLC; AstraZeneca Pharmaceuticals LP;  
AstraZeneca LP; Zeneca, Inc.; TAP Pharmaceutical Products,  
Inc.; Abbott Laboratories; Takeda Chemical Industries, Ltd.;  
Bayer AG; Bayer Corporation; Miles Laboratories, Inc.; Cutter  
Laboratories, Inc.; GlaxoSmithKline, P.L.C.; SmithKline  
Beecham Corporation; Glaxo Wellcome, Inc.; Pharmacia  
Corporation; Pharmacia & Upjohn, Inc.; Monsanto Company;  
G.D. Searle Company; Sanofi-Synthelabo Inc.; Johnson &  
Johnson; Alza Corporation; Centocor, Inc.; Ortho Biotech, Inc.;  
Alpha Therapeutic Corporation; Hoffman La-Roche Inc.;  
Amgen, Inc.; Immunex Corporation; Aventis Pharmaceuticals,  
Inc.; Aventis Behring L.L.C.; Hoechst Marion Roussel, Inc.;  
Centocor, L.L.C.; Amour Pharmaceuticals; Baxter International  
Inc.; Baxter Healthcare Corporation; Immuno-U.S., Inc.;  
Boehringer Ingelheim Corporation; Bea Venue Laboratories,  
Inc.; Bedford Laboratories; Roxane Laboratories, Inc.; Bristol-  
Myers Squibb Company; Oncology Therapeutics Network  
Corporation; Apothecom, Inc.; Dey, Inc.; Fujisawa  
Pharmaceutical Co., Ltd.; Fujisawa Healthcare, Inc.; Fujisawa  
USA, Inc.; Novartis International AG; Novartis Pharmaceutical  
Corporation; Sandoz Pharmaceutical Corporation; Schering-  
Plough Corporation; Warner Pharmaceuticals Corporation;

C.A. NO. 03-3230 (SRC)

**JOINDER OF DEFENDANT  
STANLEY C. HOPKINS,  
MD., IN PLAINTIFF'S  
MOTION FOR REMAND,  
OR, IN THE  
ALTERNATIVE, MOTION  
TO REMAND PURSUANT  
TO 28 U.S.C. § 1448**

8/4/03

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Sicor, Inc.; Gensia Sicor Pharmaceuticals, Inc.; Wyeth; Wyeth Pharmaceuticals; Saad Antoun, M.D.; Stanley C. Hopkins, M.D.; Robert A. Berkman, M.D.; Does 1-50; ABC Corp. 1-50; and XYZ Partnerships; and Associations 1-50.

Defendants.

**JOINDER OF DEFENDANT STANLEY C. HOPKINS, M.D., IN  
PLAINTIFF'S MOTION FOR REMAND, OR, IN THE ALTERNATIVE,  
MOTION TO REMAND PURSUANT TO 28 U.S.C. § 1448**

Defendant, Stanley C. Hopkins, M.D., by and through his undersigned counsel, hereby joins in the Plaintiff's Motion for Remand, or, in the alternative, moves this Honorable Court to remand this case to state court pursuant to 28 U.S.C. § 1448, and in support thereof avers as follows:

1. This Court's next motion day is September 2, 2003.
2. The Class Action Complaint in the instant case was filed on June 30, 2003, in the Superior Court of New Jersey, Monmouth County.
3. The undersigned accepted service of the Class Action Complaint on behalf of his client, defendant, Stanley C. Hopkins, M.D., on July 3, 2003.
4. Co-defendant, AstraZeneca Pharmaceuticals, L.P. ("AstraZeneca"), removed this action to this Court by filing a Notice of Removal on July 3, 2003.
5. On July 9, 2003, plaintiff filed a Motion for Remand, which was based, in part, upon the lack of consent by Dr. Hopkins.
6. Dr. Hopkins has not provided his consent to removal, although his consent was sought by counsel for AstraZeneca.
7. The undersigned clearly verbally communicated Dr. Hopkins' denial of consent to federal court jurisdiction to counsel for AstraZeneca, and to counsel for plaintiff.

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08-AUG-5 2003 11:55AM 979ZUCKERMAN SPAEDER& Morris 40 NO. 1986 P. 6/19

8. In view of Dr. Hopkins' lack of consent to federal court jurisdiction over this matter, the plaintiff's Motion for Remand should be granted.

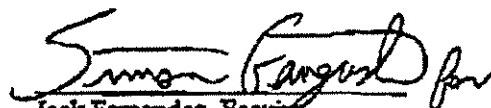
9. In the alternative, should this Court deny the plaintiff's Motion for Remand, despite the lack of consent of Dr. Hopkins to federal court jurisdiction, Dr. Hopkins hereby seeks to have this case remanded pursuant to 28 U.S.C. § 1448 for the same reason.

10. Since defendant Stanley C. Hopkins, M.D., hereby joins in plaintiff's Motion for Remand and brief in support thereof, the filing of a separate brief in support of defendant's notice of joinder and, in the alternative, motion to remand, is unnecessary in this instance.

WHEREFORE, defendant, Stanley C. Hopkins, M.D., hereby joins in the plaintiff's Motion for Remand and respectfully requests that this Honorable Court remand the case to the Superior Court of New Jersey, Monmouth County, either on the basis of plaintiff's Motion for Remand or upon his own motion.

Respectfully submitted,

ZUCKERMAN SPAEDER LLP.

  
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished to all counsel of record on  
the attached service list by J. Schrey this 4<sup>th</sup> day of August, 2003.

  
\_\_\_\_\_  
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LIMITED ENTRY OF  
APPEARANCE

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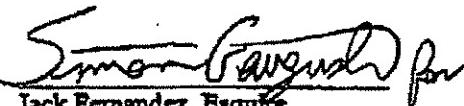
Defendants.

**LIMITED ENTRY OF APPEARANCE**

The firm of ZUCKERMAN SPAEDER, LLP, by and through its attorney, Jack R. Fernandez, hereby enters its limited appearance for Defendant Stanley C. Hopkins, M.D., in this action, for the limited purpose of contesting this court's jurisdiction over this matter.

RESPECTFULLY SUBMITTED this 4<sup>th</sup> day of August, 2003.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished to all counsel of record on  
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Jeffrey H.  
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